



Billing Code No. 4910-9X

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

[Docket No. OST-2012-0031]

Extension of a Previously Approved Collection

AGENCY: Office of the Secretary

ACTIVITY UNDER OMB REVIEW: Public Charters, 14 CFR, Part 380

ACTION: Notice and request for comments

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, Public Law 104-13, the Department of Transportation (DOT) invites the general public, industry and other governmental parties to comment on the extension of the following collection request: Public Charters, 14 CFR Part 380. The pre-existing information collection request previously approved by the Office of Management and Budget (OMB) expires on 09/30/2012.

DATES: Written comments should be submitted by **[insert date 60 days after date of publication in the Federal Register]**.

FOR FURTHER INFORMATION CONTACT: Ms. Reather Flemmings, Office of the Secretary, Office of International Aviation, Special Authorities Division-X46, 202-366-1865, 1200 New Jersey Ave. S.E., Washington, DC, 20590 and Torlanda Archer, Office of the Secretary, OIA, X-46, 202-366-1037.

ADDRESSES: You may submit comments [identified by DOT-DMS Docket No. OST-

2012-0031] through one of the following methods:

- Web Site: <http://regulations.gov>. Follow the instructions for submitting comments on the DOT electronic docket site.
- Fax: 1-202-493-2251
- Mail: Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Ave. S.E., W12-140, Washington, DC 20590
- Hand Delivery: Room W12-140, 1200 New Jersey Ave. S.E., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 2106-0005

Title: Public Charters, 14 CFR Part 380

Form Numbers: 4532, 4533, 4534, 4535

Type of Review: Extension of a Previously Approved Collection

Respondents: Private Sector: Air carriers; tour operators; the general public (including groups and individuals, corporations and Universities or Colleges, etc.)

Number of Respondents: 245

Number of Responses: 1782

Total Annual Burden: 891

Abstract: 14 CFR Part 380 establishes regulations embodying the Department's terms and conditions for Public Charter operators to conduct air transportation using direct air carriers. Public Charter operators arrange transportation for groups of people on chartered aircraft. This arrangement is often less expensive for the travelers than individually buying a ticket. Part 380 exempts charter operators from certain provisions of the U.S. code in order that they may provide this service. A primary goal of Part 380 is to seek protection for the consumer. Accordingly, the rule stipulates that the charter operator must file evidence (a prospectus—consisting of OST Forms 4532, 4533, 4534 and 4535) with the Department for each charter program certifying that it has entered into a binding contract with a direct air carrier to provide air transportation and that it has also

entered into agreements with Department-approved financial institutions for the protection of charter participants' funds. The prospectus must be approved by the Department prior to the operator's advertising, selling or operating the charter. If the prospectus information were not collected it would be extremely difficult to assure compliance with agency rules and to assure that public security and other consumer protection requirements were in place for the traveling public. The information collected is available for public inspection (*unless the respondent specifically requests confidential treatment*). Part 380 does not provide any assurances of confidentiality.

Burden Statement: Completion of all forms in a prospectus can be accomplished in approximately two hours (30 minutes per form) for new filers and one hour for amendments (existing filings). The forms are simplified and request only basic information about the proposed programs and the private sector filer. The respondent can submit a filing to operate for up to one year and include as many flights as desired, in most cases. The operator is then required by regulations to file revisions to its original prospectus.

Number of Respondents: 245

Number of Responses: 1,782

Frequency of Responses:

245 (respondents) x 4 = 980

401 (amendments *from the same respondents*) x 2 = 802

Total estimated responses: 980 + 802 = 1,782

The frequency of response is dependant upon whether the operator is requesting a new program or amending an existing prospectus. Variations occur due to the respondents' criteria. On average four responses (forms 4532, 4533, 4534 and/or 4535) are required for filing new prospectuses and two of the responses (forms) are required for amendments. The separate hour burden estimate is as follows:

Total Annual Burden: 891

Approximately 1,782 (responses) x 0.50 (per form) = 891

Comments Are Invited On: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (b) the accuracy of the Department's estimate of the burden of the proposed information collection; (c) ways to enhance the quality, utility and clarity of the information collection; and (d) ways to minimize the burden of the collection of information on respondents, by the use of electronic means, including the use of automated collection techniques or other forms of information technology. All responses to the notice to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

Issued in Washington, DC on March 23, 2012

Jeffrey B. Gaynes,
Assistant Director for Regulatory Affairs

<BILCOD>BILLING CODE 4910–P

[FR Doc. 2012-7657 Filed 04/06/2012 at 8:45 am; Publication Date: 04/09/2012]